



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/022,979	02/12/1998	MITSUO NIIDA	35.C12549	6329

5514 7590 07/11/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

[REDACTED] EXAMINER

JONES, PRENELL P

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2667

22

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/022,979	Applicant(s) Niida et al
Examiner Prenell Jones	Art Unit 2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on May 6, 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) Claim(s) 28, 32-35, 42, and 46-57 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 28, 32-35, 42, and 46-57 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

4) Interview Summary (PTO-413) Paper No(s). _____

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

6) Other: _____

Art Unit: 2667

Response to Arguments

1. Applicant's arguments with respect to claims 28, 32-35, 42 and 46-57 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(a) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 28, 32-35, 42 and 46-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al in view of Lumelsky et al and Ellenby et al.

Regarding claims 28, 42, 46 and 52, Suzuki discloses (Abstract, Figs. 20a & 20b, col. 18, line 8 thru col. 19, line 11) a Image data apparatus that consist of multiple interfaces, control unit, mode switch whereby

Art Unit: 2667

the switching mode switches between various interfaces, thereby when one interface is selected, its mode is active and the other interfaces are in a standby (passive) mode. Suzuki is silent on interfaces being associated with communication standards and a first/second interface. In analogous art, Lumelsky (Abstract, col. 1, line 34 thru col. 2, line 40) discloses a high definition multimedia (various communication standards) image display apparatus that includes display controller that controls various multimedia display interfaces, images are represented in various display formats, such as RGB, YUV, HVC and color, (col. 4, line 46 thru col. 5, line 5, col. 6, line 13 thru col. 8, line 57, col. 15, line 12-67) control bits are used to allow/activate interface/operations access to communicating, and Ellenby discloses (Abstract) imaging processing system for capturing digital images wherein the architecture includes multiple interfaces such as (col. 5, line 36 thru col. 6, line 20, col. 7, line 64 thru col. 7, line 19) IEEE 1394, RS232 and RS422 and associated interfaces for providing communication connection. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement protocols standards associated with interfaces as a communication medium in a communication system as taught by Ellenby with the combined teachings of Suzuki and Lumelsky for the purpose of providing various types of compatible communication mediums in an imaging system with the capability of switching between multimedia communication mediums for communication management.

Regarding claims 32-35 and 47-57, as indicated above, Suzuki discloses (Abstract, Figs. 20a & 20b, col. 18, line 8 thru col. 19, line 11) a Image data apparatus that consist of multiple interfaces, control unit, mode switch whereby the switching mode switches between various interfaces, thereby when one interface is selected, its mode is active and the over interfaces are in a standby (passive) mode. Suzuki is silent on first/second interfaces being associated with communication standards such as IEEE 1394, RS232 and

Art Unit: 2667

RS422. In analogous art, Lumelsky discloses (Abstract) an electronic imaging apparatus that includes a switch for causing a communication means to start a communication mode, (Figs. 1, 2, 15 and 21), electronic imaging, a high definition multimedia (various communication standards) image display apparatus that includes display controller that controls various multimedia display interfaces, first and second interfaces along with associated format/communication standard, images are represented in various display formats, such as RGB, YUV, HVC and color, (col. 4, line 46 thru col. 5, line 5, col. 6, line 13 thru col. 8, line 57, col. 15, line 12-67) control bits are used to allow/activate interface/operations access for communicating, and Ellenby discloses (Abstract) imaging processing system for capturing digital images wherein the architecture includes multiple interfaces such as (col. 5, line 36 thru col. 6, line 20, col. 7, line 64 thru col. 7, line 19) IEEE 1394, RS232 and RS422 for providing communication connection. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement IEEE 1394, RS232 or RS422 communication standards belonging to a first/second interface with the combined teachings of Suzuki and Lumelsky for the purpose of providing various formatting associated with digital/electronic imaging processing in a camera operated environment.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

Art Unit: 2667

shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell Jones whose telephone number is (703) 305-0630. The examiner can normally be reached on Monday thru Friday from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Prenell Jones

July 8, 2003


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600
7/9/03